

Office of Environmental Health Hazard Assessment



Winston H. Hickox
Agency Secretary

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Gray Davis
Governor

MEMORANDUM

TO: Charles M. Andrews, Chief
Worker Health and Safety Branch
Department of Pesticide Regulation
P.O. Box 4015
Sacramento, California 95812-4015

FROM: Anna M. Fan, Ph.D., Chief *af*
Pesticide and Environmental Toxicology Section

DATE: August 27, 2003

SUBJECT: DEVELOPMENT OF PROPOSED METHYL BROMIDE FIELD
FUMIGATION REGULATIONS

The Office of Environmental Health Hazard Assessment (OEHHHA) has received and reviewed your memorandum of August 12, 2003 with the subject title, "DEVELOPMENT OF PROPOSED METHYL BROMIDE FIELD FUMIGATION REGULATIONS" and the two accompanying drafts, "Finding of Emergency" and "Proposed Text." In the memorandum, the Department of Pesticide Regulation (DPR) proposes to re-file emergency regulations to readopt sections 6450, 6450.1, 6450.2, 6450.3, 6784(b), and two definitions in Section 6000. DPR states it needs to readopt the emergency regulations that are currently in effect while it completes the rulemaking process to permanently adopt the methyl bromide field fumigation regulations for which it will file a Notice of Proposed Regulatory Action with OAL in September 2003.

The proposed text of the emergency regulations is unchanged from the same emergency regulations to which OEHHHA offered its concurrence in a memorandum sent to you on April 26, 2003. To assure continuance of a measure for health and safety protection from short-term exposures to workers and the public when methyl bromide is used for field fumigation until the rulemaking process to permanently adopt the methyl bromide field fumigation regulations is completed, OEHHHA agrees with DPR's proposal to readopt the current emergency regulations.

OEHHHA has just received your memorandum of August 20, 2003, which was a response to our memorandum of June 30, 2003 concerning DPR's proposed text of the permanent methyl bromide field fumigation regulations. We noted that we remain in disagreement with DPR's proposed text of the permanent methyl bromide field fumigation regulations.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.



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OEHHA appreciates your request, pursuant to Food and Agricultural Code, sections 12980 and 12981, to review DPR's proposed emergency regulations for methyl bromide field fumigation and to consult on the methyl bromide field fumigation regulations proposed for permanent adoption. If you have further questions, please call me at (510) 622-3165 or Mr. Robert Schlag at (916) 323-2624.

cc: Val F. Siebal
Chief Deputy Director
Office of Environmental Health Hazard Assessment

George V. Alexeeff, Ph.D., D.A.B.T.
Deputy Director for Scientific Affairs
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Robert Schlag, M.Sc., Chief
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bcc: Genevieve L. Vivar

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